

**FILED**

**JUN 13 2006**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**

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United States Attorney

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3 Chief, Criminal Division

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8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION  
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 ADRIAN GOMEZ ZEPEDA,

17 Defendant.  
18

No. CR 05-00523 DLJ

STIPULATION TO CONTINUE DATE  
FOR CHANGE OF PLEA AND TO  
EXCLUDE TIME; ~~PROPOSED~~ ORDER

OAKLAND VENUE

19 The United States of America, by its undersigned counsel, and defendant Adrian Gomez  
20 Zepeda, by his undersigned counsel, hereby request and stipulate that the change of plea hearing  
21 scheduled for June 16 at 9:00 a.m. be continued to July 14 at 9:00 a.m., and that time be  
22 excluded until July 14. The reasons for this continuance and exclusion of time are as follows:

23 On June 12, defendant's attorney, Harris Tabak, called undersigned government  
24 counsel and informed him that defendant Zepeda's brother had been brutally murdered over the  
25 weekend. Mr. Tabak stated that his client needed to be with his family this week rather than  
26 meeting with Mr. Tabak to review the plea agreement. Mr. Tabak stated that the next Friday  
27 morning that Mr. Tabak would be available is July 14.

28 For these reasons, the parties request and stipulate that the change of plea hearing

STIP. TO CONTINUE CHANGE OF PLEA AND EXCLUDE TIME (Zepeda);  
CR 05-00523 DLJ

1 scheduled for defendant Zepeda be continued from June 16 to July 14 at 9:00 a.m., and that time  
2 be excluded from now until July 14. The parties stipulate that, given the circumstances, the ends  
3 of justice served by this continuance and exclusion of time outweigh the best interests of the  
4 public and of the defendant in a speedy trial, and that, accordingly, an exclusion of time pursuant  
5 to Title 18, United States Code, Sections 3161(h)(8)(A) and (B) is appropriate.

6 **IT IS SO STIPULATED.**

7 DATED: June 12, 2006

Respectfully submitted,

8 KEVIN V. RYAN  
9 United States Attorney

10 By /s/  
11 W. DOUGLAS SPRAGUE  
Assistant U.S. Attorney

12 DATED: June 12, 2006

/s/  
13 HARRIS TABAK  
Attorney for Defendant Adrian  
14 Gomez Zepeda

//

15 **IT IS SO ORDERED.**

16 DATED: June 13, 2006

  
17 D. LOWELL JENSEN  
18 United States District Court Judge  
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STIP. TO CONTINUE CHANGE OF PLEA AND EXCLUDE TIME (Zepeda);  
CR 05-00523 DLJ